

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

FRANK MORGAN,

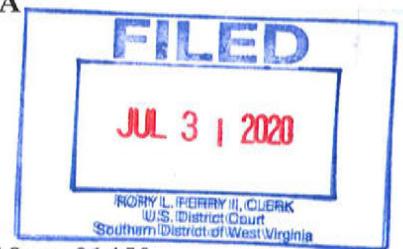
Plaintiff,

v.

CIVIL ACTION NO. 2:18-cv-01450

JOSHUA "J.D." TINCER and  
KEVIN CONLEY

Defendants.



**VERDICT FORM**

Claims by Plaintiff Frank Morgan

Question 1. Do you find Defendant Joshua "J.D." Tincher liable to Plaintiff Frank Morgan for violation of his constitutional rights at City Hall on April 20, 2018, by the use of excessive force?

\_\_\_\_\_ YES      X      NO

Question 2. Do you find Defendant Joshua "J.D." Tincher liable for battery against Plaintiff Frank Morgan at City Hall?

\_\_\_\_\_ YES      X      NO

Question 3. Is either Defendant liable to Plaintiff Frank Morgan for battery during the course of the arrest at Stratton Street?

Joshua "J.D." Tincher      \_\_\_\_\_ YES      X      NO  
Kevin Conley      \_\_\_\_\_ YES      X      NO

Question 4. Do you find Defendant Joshua "J.D." Tincher liable for assault at City Hall?

\_\_\_\_\_ YES      X      NO

Question 5. Is either Defendant liable to Plaintiff Frank Morgan for assault during the course of the arrest at Stratton Street?

Joshua "J.D." Tincher	_____	YES	_____	NO
Kevin Conley	_____	YES	_____	NO

Question 6. Is either Defendant liable to Plaintiff Frank Morgan for the tort of outrage/intentional infliction of emotion distress for his actions during the course of the arrest at Stratton Street?

Joshua "J.D." Tincher	_____	YES	_____	NO
Kevin Conley	_____	YES	_____	NO

Question 7. Is either Defendant liable to Plaintiff Frank Morgan for the tort of outrage/intentional infliction of emotion distress for his actions at City Hall?

Joshua "J.D." Tincher	_____	YES	_____	NO
Kevin Conley	_____	YES	_____	NO

Question 8. Is either Defendant liable to Plaintiff Frank Morgan for failure to render medical care?

Joshua "J.D." Tincher	_____	YES	_____	NO
Kevin Conley	_____	YES	_____	NO

Question 9. If you found any Defendant liable under Questions 1 through 8, what amount of compensatory damages do you find that Plaintiff Frank Morgan is entitled to recover for pain and suffering?

\$ 0

Question 10. If you found any Defendant liable under Questions 1 through 8, what amount of compensatory damages do you find that Plaintiff Frank Morgan is entitled to recover for mental anguish?

\$ 0

Question 11. As to any Defendant you have found liable under Questions 1 through 8, do you find that Plaintiff Frank Morgan is entitled to punitive damages from such Defendant or Defendants?

Joshua "J.D." Tincher	<u>      </u>	YES	<u>      </u>	X	NO
Kevin Conley	<u>      </u>	YES	<u>      </u>	X	NO

Question 12. If you answered "Yes" for any Defendant in Question 11, what amount of punitive damages do you award?

\$ 0

Claim by Counterclaimant Joshua "J.D." Tincher

Question 13. What amount of compensatory damages do you find that Counterclaimant Joshua "J.D." Tincher is entitled to recover from Frank Morgan for pain and suffering?

\$ 0

Question 14. What amount of compensatory damages do you find that Counterclaimant Joshua "J.D." Tincher is entitled to recover from Frank Morgan for mental anguish?

\$ 0

Question 15. Do you find that Counterclaimant Joshua "J.D." Tincher is entitled to punitive damages from Plaintiff Frank Morgan?

<u>      </u>	YES	<u>      </u>	X	NO
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Question 16. If you answered "Yes" in Question 15, what amount of punitive damages do you award?

\$ \_\_\_\_\_ 0

DATE: 7/31/20